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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,882	10/31/2003	Tai-Hsien Lee	TOP 338	8982
23995	7590	09/13/2007		
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			EXAMINER HERBST, RACHEL M	
			ART UNIT 2109	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,882

Applicant(s)

LEE, TAI-HSIEN

Examiner

Rachel M. Herbst

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/31/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/06/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claims

This is a first Office Action on the merits of this application. Claims 1-16 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 4, 5, 7, 8, 9, 11, 12, 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mou ("Mou"; US #6690395) in view of Saito("Saito"; JP2002-288690).

As per independent claim 1, Mou teaches a system of menu browsing for a mobile phone, comprising:

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a display device (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a display device); a data storage device (Mou, fig 8 and col1, par. 4 where stored in bmp format is interpreted to mean a data storage device) having a plurality of images arranged in sequence (Mou fig 6 and col2 item (8) where the graphics are named in hexadecimal 4-digit by following the sequence is interpreted to mean that the images are arranged in sequence) the image corresponding to menu options of the mobile phone;(Mou fig 8, teaches the images are corresponding to the menu options) a signal reception device to receive a signal; and a processor to perform menu browsing operations, (Mou, col1 par 4 where displayed in LCD of the cellular phone using a clipboard technique is interpreted to mean there is a processor performing the menu browsing) comprising the steps of: designating one of the images; a predetermined number of images after the designated image in order on the display device if the signal received by the signal reception device indicates a first direction; (Mou, fig 8 shows the predetermined number of images arranged in a sequence between options and the abstract where the user browsing from images entering from left or right is interpreted to mean a signal is received that designates which direction the user is browsing allowing for a first direction).displaying the predetermined number of images (Mou, fig 8 shows the predetermined number of images arranged in a sequence between options) before the designated image in order on the display device if the signal received by the signal reception device indicates a second direction (Mou, figure 8 teaches bidirectional menu browsing with bidirectional arrows between graphics and in the abstract where icons entering from the left or right into the central area is interpreted to mean the menu is

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capable of bi-directional traversal). Mou does not expressly disclose the use of three-dimensional (3D) images.

However, Saito does teach this (Saito, paragraph 0050 where the three dimensional image is made applicable to selection and paragraph 7. effectiveness where three dimensional arrangement of the different images implies a three-dimensional image view). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Saito's three-dimensional images in Mou's system. The motivation would have been to make the images more user friendly (Saito, paragraph 0057, 0205).

As per claim 3, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1 wherein the sequence is a circular sequence (Mou fig 8 where the images are arranged in a circular sequence).

As per claim 4, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1 wherein the processor further displays an animated image corresponding to the most recent displayed 3D image on the display device (Mou fig 8 where the animation option such as phone book corresponds to the most recently browsed image is interpreted to mean that the animation corresponds to the preceding image within the figure).

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As per claim 5, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 4 wherein the processor stops displaying the animated image if another signal is received by the signal reception device (Mou, fig 8 and abstract where the existing animation option is reduced and quits is interpreted to mean the processor stops displaying the animated image when a user is browsing to the left or right of that option).

As per claim 7, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1 wherein the 3D images are images with depth of field (Saito. Fig 1 and 33 disclose three-dimensional image on a cell phone display. Moreover, a displayed three-dimensional object inherently has depth of field.)

As per claim 8, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1 wherein the display device is the screen of the mobile phone (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a display device).

As per independent claim 9, Mou teaches a method of menu browsing for a mobile phone, comprising the steps of: providing a plurality of images arranged in sequence, the image corresponding to menu options of the mobile phone (Mou, fig 8 where the images are arranged in a sequence and correspond to a menu option); designating one of the images, and displaying the designated images on a screen of the mobile phone (Mou fig 8 and Mou, col 1 par3 where monitor of cell phone is interpreted

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to mean a screen of a mobile phone); receiving a signal (Mou abstract where user browsing from images entering from left or right is interpreted to mean a signal is received that designates which direction the user is browsing) ; displaying a predetermined number of images after the designated image in order on the display device if the signal indicates a first direction; (Mou fig 8 where the bi-directional arrows indicate the display is capable of a first direction and the images between options of the circular sequence indicate a predetermined number of images) displaying the predetermined number of images (Mou fig 8 where there are a certain number of images between options) before the designated image in order on the display device if the signal indicates a second direction (Mou, figure 8 and abstract where icons entering from the left or right into the central area is interpreted to mean the menu may be bi-directionally browsed). Mou does not expressly disclose the use of three-dimensional (3D) images.

However, Saito does teach this (Saito, paragraph 0050 where the three dimensional image is made applicable to selection and paragraph 7.effectiveness where three dimensional arrangement of the different images implies a three-dimensional image view). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Saito's three-dimensional images in Mou's system. The motivation would have been to make the images more user friendly (Saito, paragraph 0057, 0205).

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As per claim 11, Mou and Saito teach the method of menu browsing for a mobile phone as claimed in claim 9 wherein the sequence is a circular sequence (Mou, fig 8 where the images are arranged in a circular sequence).

As per claim 12, Mou and Saito teach the method of menu browsing for a mobile phone as claimed in claim 9 further displaying an animated image corresponding to the most recent displayed 3D image (Mou fig 8 shows an animated option corresponding to the preceding image is displayed). Mou does not explicitly teach this animated option is three-dimensional even though inherently an animated option gives the effect of three-dimensions.

However, Saito does explicitly teach the 3d animation (Saito, paragraph 7.effectiveness the animation is contained in the image implies the three-dimensional image animation). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Saito's three-dimensional animation in Mou's system. The motivation would have been to make the images more user friendly (Saito, paragraph 0205).

As per claim 13, Mou and Saito teach the method of menu browsing for a mobile phone as claimed in claim 12 further stopping display of the animated image if another signal is received. (Mou, fig 8 and abstract where the existing animation option is reduced and quits is interpreted to mean the processor stops displaying the animated image when a user is browsing to the left or right of that option).

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As per claim 15, Mou and Saito teach the method of menu browsing for a mobile phone as claimed in claim 9 wherein the 3D images are images with depth of field. (Saito. Figs 1, 33 disclose a three-dimensional image displayed on a cell phone. Moreover, a displayed three-dimensional object inherently has depth of field.)

4. Claims 2, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mou and Saito as applied to claim 1 above, and further in view of Karkkainen ("Karkkainen", US6600936).

As per claim 2, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1 wherein the processor further perform the steps of: performing function of the menu option corresponding to the displayed 3D image on the display device if the signal received by the signal reception device is a confirmation signal. Although Mou, (fig. 8 and abstract where menu options are selectable) teaches the menu options are selectable he does not explicitly teach the corresponding functions are performed. At the time of the invention, one who is skilled in the art would understand this to be an inherent feature of icon driven menus. To provide a reference, Karkkainen does teach this (Karkkainen col 5 par 6 and col 6 par 1 whereupon pressing the enter key of the portable telephone - the menu item can be entered is interpreted to mean the corresponding functions are performed).

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Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Karkkainen's system supporting a confirmation selection and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainen, col 2 par.5).

As per claim 10, Mou and Saito teach the method as claimed in claim 9 further comprise the steps of: linking an option page corresponding to the displayed 3D image on the display device if the signal received by the signal reception device is a confirmation signal. Although Mou, (fig. 8 and abstract where the options are selectable) teaches the menu options are selectable he does not explicitly teach linking to the corresponding option page.

At the time of the invention, one who is skilled in the art would understand this to be an inherent feature of icon driven menus. To provide a reference, Karkkainen does teach this (Karkkainen col 5 par6 and col 6 par1 whereupon pressing the enter key of the portable telephone - the menu item can be entered is interpreted to mean the corresponding link is entered).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Karkkainen's system supporting a confirmation selection and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainen, col2 par.5).

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As per independent claim 16, Mou teaches a system of menu browsing for a mobile phone, comprising: a display device (Mou, col 1 par3 where monitor of cell phone is interpreted to mean a display device);; a data storage device (Mou, fig 8 and col1, par. 4 where stored in bmp format is interpreted to mean a data storage device) having a plurality of images arranged in a circular sequence, (Mou fig 8 shows a circular sequence and fig 6 and col2 item (8) where the graphics are named in hexadecimal 4-digit by following the sequence is interpreted to mean that the images are arranged in sequence) the image corresponding to a plurality of menu options of the mobile phone; (Mou fig 8 discloses the images correspond to a plurality of menu options such as phone book, messages, call records, service, etc.)

a signal reception device to receive a signal; (Mou, abstract where the existing animation option is reduced and quits is interpreted to mean the phone has a signal reception device which enables the processor to stop displaying the animated image when a user is browsing to the left or right of that option). and a processor to perform menu browsing operations, ((Mou, col1 par 4 where displayed in LCD of the cellular phone using a clipboard technique is interpreted to mean there is a processor performing the menu browsing)

comprising the steps of:

designating one of the images; displaying a predetermined number of images after the designated image in the circular sequence (Mou fig 8 discloses a predetermined number of images between options and the images are arranged in a circular

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sequence) in order on the display device if the signal received by the signal reception device indicates a first direction; (Mou discloses with fig 8 the bi-directional arrows indicating the display is capable of a first direction) displaying the predetermined number of images (Mou fig 8 where there are a certain number of images between options) before the designated image in the circular sequence (Mou, fig 8 circular sequence) in order on the display device if the signal received by the signal reception device indicates a second direction; (Mou, teaches bi-directional browsing in figure 8 bidirectional arrows and abstract where icons entering from the left or right into the central area is interpreted to mean bi-directional browsing)

Mou does not expressly disclose the use of three-dimensional (3D) images.

However, Saito does teach this (Saito, paragraph 0050 where the three dimensional image is made applicable to selection and paragraph 7.effectiveness where three dimensional arrangement of the different images implies a three-dimensional image view). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Saito's three-dimensional images in Mou's system. The motivation would have been to make the images more user friendly (Saito, paragraph 0057, 0205). and performing function of the menu option corresponding to the displayed image on the display device if the signal received by the signal reception device is a confirmation signal. Although Mou, (fig. 8 and abstract where options are selectable) teaches the menu options are selectable he does not explicitly teach the corresponding functions are performed. At the time of the invention, one who is skilled in the art would understand this to be an inherent feature of icon driven menus.

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However to provide a reference, Karkkainen does teach this (Karkkainen col 5 par6 and col 6 par1 whereupon pressing the enter key of the portable telephone - the menu item can be entered is interpreted to mean the corresponding function is performed).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Karkkainen's system supporting a confirmation selection and corresponding function performed in combination with Mou's system.

The motivation would have been to provide an unambiguous user interface whereby the intended icon's corresponding function is entered. (Karkkainen, col2 par.5).

5. Claims 6, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mou and Saito as applied to claim 1 above, and further in view of Ito ("Ito", JP2002-163103A).

As per claim 6, Mou and Saito teach the system of menu browsing for a mobile phone as claimed in claim 1. They do not teach wherein the 3D images arranged in the sequence compose a 360° scene. However Ito does teach this(Ito par. 0015 where the arrangement of menu options displayed on the screen as a room structure whereby two or more menus are displayed on the floor, head lining, and or walls of room is interpreted to mean a 360° scene).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ito's arrangement in Mou and Saito's system.

The motivation would have been easier visualization of menu options (Ito, par. 0082)

As per claim 14, Mou and Saito teach the method of menu browsing for a mobile phone as claimed in claim 9. They do not teach wherein the 3D images arranged in the sequence 3 compose a 360° scene. However Ito does teach this(Ito par. 0015 where the arrangement of menu options displayed on the screen as a room structure whereby two or more menus are displayed on the floor, head lining, and or walls of room is interpreted to mean a 360° scene).

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Ito's arrangement in Mou and Saito's system.

The motivation would have been easier visualization of menu options (Ito, par. 0082)

Pertinent Art not relied upon.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 2002/0041292 A1 Method of Displaying Menus in Mobile Telephones, US 5561745 Computer Graphics for Animation by Time Sequenced Textures, US 5870683 Mobile Station having method and apparatus for displaying user selectable animation sequence, US 6184884 B1 Image Controlling Device and Image Controlling Method For Displaying a plurality of menu items, and US 7007242 B2 Graphical User Interface for a Mobile Device, and US 6043818, Background Image with a Continuously Rotating and Function 3D Icon. Non-Patent Literature not relied upon, Elements of a Three-dimensional Graphical User Interface, Communications of the ACM Aprill 1993, Vol.36 No.4. pp 58-71, and Pocket PC 2002.

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Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel M. Herbst whose telephone number is 571-270-5132. The examiner can normally be reached Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rmh


TAGHI ARANI
PRIMARY EXAMINER
9/11/07